

Commission Review

Log of Permanent Rule Filings

February 21, 2020 through March 20, 2020

* Approval Recommended, ** Objection Recommended, *** Other

ELECTIONS, STATE BOARD OF

The rules in Chapter 21 are department rules concerning reporting (.0100) and noncompliance (.0200).

<u>Best Efforts</u>	08	NCAC	21	.0101
Adopt*				
<u>Reporting of Independent Expenditures</u>	08	NCAC	21	.0102
Adopt*				
<u>Reporting of Special Contributions</u>	08	NCAC	21	.0103
Adopt*				
<u>Reporting of Electioneering Communications</u>	08	NCAC	21	.0104
Adopt*				
<u>Federal Political Committee Reporting</u>	08	NCAC	21	.0105
Adopt*				
<u>Electronic Filing</u>	08	NCAC	21	.0106
Adopt*				
<u>Procedures for Political and Referendum Committees</u>	08	NCAC	21	.0201
Amend*				

INSURANCE, DEPARTMENT OF

The rules in Chapter 8 concern the engineering and building codes including the approval of school maintenance electricians (.0400); qualification board-limited certificate (.0500); qualification board-probationary certificate (.0600); qualification board-standard certificate (.0700); disciplinary actions and other contested matters (.0800); manufactured housing board (.0900); NC Home Inspector Licensure Board (.1000); home inspector standards of practice and code of ethics (.1100); disciplinary actions (.1200); home inspector continuing education (.1300); Manufactured Housing Board continuing education (.1400); and alternate designs and construction appeals (.1500).

<u>Building Code Publications: General Information</u>	11	NCAC	08	.0203
Readopt with Changes*				

PRIVATE PROTECTIVE SERVICES BOARD

The rules in Chapter 16 are from the Private Protective Services Board and cover organization and general provisions (.0100); licenses and trainee permits (.0200); security guard patrol and guard dog service (.0300); private investigator: electronic countermeasures (.0400); polygraph (.0500); psychological stress evaluator (PSE) (.0600); unarmed security guard registration (.0700); armed security guard firearm registration permit (.0800); trainer certificate (.0900); recovery fund (.1000); training and supervision for private investigator associates (.1100); continuing education (.1300); and armed armored car service guards firearm registration permit (.1400).

<u>Purpose</u>	14B	NCAC	16	.0101
Readopt without Changes*				
<u>Location</u>	14B	NCAC	16	.0102
Readopt without Changes*				

<u>Definitions</u>	14B NCAC 16 .0103
Readopt without Changes*	
<u>Uniforms and Equipment</u>	14B NCAC 16 .0104
Readopt without Changes*	
<u>Prohibited Acts</u>	14B NCAC 16 .0105
Readopt without Changes*	
<u>Disciplinary Actions</u>	14B NCAC 16 .0106
Readopt without Changes*	
<u>Law Enforcement Officers Special Provisions</u>	14B NCAC 16 .0107
Readopt without Changes*	
<u>Records</u>	14B NCAC 16 .0108
Readopt without Changes*	
<u>Rulemaking and Administrative Hearing Procedures</u>	14B NCAC 16 .0109
Readopt without Changes**	
<u>Change of Address or Telephone Number</u>	14B NCAC 16 .0111
Readopt without Changes*	
<u>Suspension of Authority to Expend Funds</u>	14B NCAC 16 .0112
Readopt without Changes*	
<u>Involvement in Administrative Hearing</u>	14B NCAC 16 .0113
Readopt without Changes*	
<u>Determination of Experience</u>	14B NCAC 16 .0204
Readopt without Changes*	
<u>Experience Requirements/Security Guard and Patrol License</u>	14B NCAC 16 .0301
Readopt without Changes*	
<u>Experience Requirements for Guard Dog Service License</u>	14B NCAC 16 .0302
Readopt without Changes*	
<u>Experience Requirements for a Private Investigator License</u>	14B NCAC 16 .0401
Readopt without Changes*	
<u>Experience Requirements for a Counterintelligence License</u>	14B NCAC 16 .0402
Readopt without Changes*	
<u>Trainee Permit Requirements</u>	14B NCAC 16 .0403
Readopt without Changes*	
<u>Reports</u>	14B NCAC 16 .0404
Readopt without Changes*	
<u>Private Investigator's Use of a Badge</u>	14B NCAC 16 .0405
Readopt without Changes*	
<u>Experience Requirements for a Polygraph License</u>	14B NCAC 16 .0501
Readopt without Changes*	
<u>Polygraph Examination Requirements</u>	14B NCAC 16 .0503
Readopt without Changes*	
<u>Polygraph Instruments</u>	14B NCAC 16 .0504
Readopt without Changes*	
<u>Experience Requirements for a Psychological Stress Evalua...</u>	14B NCAC 16 .0601
Readopt without Changes*	
<u>P.S.E. Examination Requirements</u>	14B NCAC 16 .0602
Readopt without Changes*	
<u>P.S.E. Instruments</u>	14B NCAC 16 .0603
Readopt without Changes*	
<u>Minimum Standards for Unarmed Security Guard Registration</u>	14B NCAC 16 .0703

Readopt without Changes*	
<u>Investigation for Unarmed Security Guard Registration</u>	14B NCAC 16 .0704
Readopt without Changes**	
<u>Training Requirements for Unarmed Security Guards</u>	14B NCAC 16 .0707
Readopt without Changes*	
<u>Minimum Stds/Armed Security Guard Firearm Registration Pe...</u>	14B NCAC 16 .0803
Readopt without Changes*	

MARINE FISHERIES COMMISSION

The rules in Subchapter 3M cover harvesting of finfish including general rules (.0100); striped bass (.0200); mackerel (.0300); menhaden and Atlantic herring (.0400); and other finfish (.0500).

<u>Tarpon</u>	15A NCAC 03M .0509
Readopt with Changes*	

The rules in Subchapter 3O cover various licenses (.0100); leases and franchises (.0200); license appeal procedures (.0300); Standard Commercial Fishing License Eligibility Board (.0400); and licenses, leases and franchises (.0500).

<u>License and Commercial Fishing Vessel Registration Transfers</u>	15A NCAC 03O .0108
Readopt with Changes*	

WILDLIFE RESOURCES COMMISSION

The rules in Chapter 10 are promulgated by the Wildlife Resources Commission and concern wildlife resources and water safety. The rules in Subchapter 10B are hunting and trapping rules and cover general hunting and wildlife provisions (.0100), hunting specific animals (.0200), trapping (.0300), and tagging furs (.0400).

<u>Big Game Harvest Reports</u>	15A NCAC 10B .0113
Readopt with Changes*	
<u>Prohibited Taking and Manner of Take</u>	15A NCAC 10B .0201
Amend*	
<u>Deer (White Tailed)</u>	15A NCAC 10B .0203
Amend*	
<u>American Alligator</u>	15A NCAC 10B .0224
Amend*	
<u>Bullfrogs</u>	15A NCAC 10B .0226
Adopt*	

The rules in Subchapter 10C cover inland fishing including jurisdictional issues involving the Marine Fisheries Commission (.0100); general rules (.0200); game fish (.0300); non-game fish (.0400); primary nursery areas (.0500); and anadromous fish spawning areas (.0600).

<u>Public Mountain Trout Waters</u>	15A NCAC 10C .0205
Amend*	
<u>Transportation of Live Fish</u>	15A NCAC 10C .0209
Amend*	
<u>Possession of Certain Fishes</u>	15A NCAC 10C .0211
Amend*	
<u>Inland Game Fishes Designated</u>	15A NCAC 10C .0301
Readopt with Changes*	

<u>Largemouth Bass</u>	15A NCAC 10C .0305
Amend*	
<u>Crappie</u>	15A NCAC 10C .0306
Amend*	
<u>Kokanee Salmon</u>	15A NCAC 10C .0308
Readopt with Changes*	
<u>Striped Bass</u>	15A NCAC 10C .0314
Amend*	
<u>Trout</u>	15A NCAC 10C .0316
Amend*	
<u>Smallmouth Bass</u>	15A NCAC 10C .0321
Adopt*	
<u>Alabama Bass and Spotted Bass</u>	15A NCAC 10C .0322
Adopt*	
<u>Redeye Bass</u>	15A NCAC 10C .0323
Adopt*	
<u>Catfish</u>	15A NCAC 10C .0324
Adopt*	
<u>Manner of Taking Nongame Fishes</u>	15A NCAC 10C .0401
Amend*	

The rules in Chapter 10 are promulgated by the Wildlife Resources Commission and concern wildlife resources and water safety. The rules in Subchapter 10D are game lands rules.

<u>General Regulations Regarding Use</u>	15A NCAC 10D .0102
Amend*	
<u>Hunting on Game Lands</u>	15A NCAC 10D .0103
Amend*	
<u>Possession and Removal of Animals, Plants and Materials</u>	15A NCAC 10D .0105
Amend*	

The rules in Subchapter 10F cover motorboats and water safety including boat registration (.0100); safety equipment and accident reports (.0200); and local water safety regulations covering speed limits, no-wake restrictions, restrictions on swimming and other activities, and placement of markers for designated counties or municipalities (.0300).

<u>Montgomery County</u>	15A NCAC 10F .0327
Amend*	
<u>Currituck County</u>	15A NCAC 10F .0340
Amend*	

AUCTIONEER LICENSING BOARD

The rules in Subchapter 4B are from the Auctioneer Licensing Board including organization and general provisions (.0100); application for license (.0200); examinations (.0300); licensing (.0400); schools of auctioneering (.0500); general auctioneering (.0600); recovery fund (.0700) and continuing education (.0800).

<u>Purpose</u>	21 NCAC 04B .0101
Readopt with Changes*	
<u>Board Office</u>	21 NCAC 04B .0102
Readopt with Changes*	

<u>Definitions</u>	21	NCAC	04B	.0103
Readopt with Changes*				
<u>Administrative Law Procedures</u>	21	NCAC	04B	.0104
Readopt with Changes*				
<u>Application Forms</u>	21	NCAC	04B	.0201
Readopt with Changes*				
<u>Filing and Fees</u>	21	NCAC	04B	.0202
Readopt with Changes*				
<u>Extensions for Members of the Armed Forces</u>	21	NCAC	04B	.0203
Adopt*				
<u>Subject Matter</u>	21	NCAC	04B	.0301
Readopt with Changes*				
<u>Re-Examination/Refund of Fees</u>	21	NCAC	04B	.0302
Readopt with Changes*				
<u>Exam: Review: Papers and Content</u>	21	NCAC	04B	.0303
Readopt with Changes*				
<u>License Number: Display of License and Pocket Card</u>	21	NCAC	04B	.0401
Readopt with Changes*				
<u>License Renewal</u>	21	NCAC	04B	.0402
Readopt with Changes*				
<u>Apprentice Auctioneer License</u>	21	NCAC	04B	.0403
Readopt with Changes*				
<u>Grounds for License Denial or Discipline</u>	21	NCAC	04B	.0404
Readopt with Changes*				
<u>Involvement in Court Action or Administrative Hearing</u>	21	NCAC	04B	.0405
Readopt with Changes*				
<u>Application for Course Approval</u>	21	NCAC	04B	.0501
Readopt with Changes*				
<u>Requirements for Approval/Minimum Standards</u>	21	NCAC	04B	.0502
Readopt with Changes*				
<u>Certification of Course Completion</u>	21	NCAC	04B	.0503
Readopt with Changes*				
<u>Records Must Be Maintained</u>	21	NCAC	04B	.0504
Readopt with Changes*				
<u>Grounds for Approval, Suspension, or Revocation</u>	21	NCAC	04B	.0505
Readopt with Changes*				
<u>Allowing Unlicensed Bid Callers: Exception</u>	21	NCAC	04B	.0506
Readopt with Changes*				
<u>Change of Address or Business Name or Ownership</u>	21	NCAC	04B	.0601
Readopt with Changes*				
<u>Advertising</u>	21	NCAC	04B	.0602
Readopt with Changes*				
<u>Sale Proceeds, Accounting and Escrow Accounts</u>	21	NCAC	04B	.0603
Readopt with Changes*				
<u>Contracts, Consignment Records, Sales Records, and Bidder...</u>	21	NCAC	04B	.0604
Readopt with Changes*				
<u>Bidding</u>	21	NCAC	04B	.0605
Readopt with Changes*				
<u>Auction Firms</u>	21	NCAC	04B	.0606

Readopt with Changes*			
<u>Sole Proprietor Auction Businesses</u>	21	NCAC 04B	.0607
Readopt with Changes*			
<u>Applications</u>	21	NCAC 04B	.0701
Readopt without Changes*			
<u>Continuing Education Course</u>	21	NCAC 04B	.0801
Readopt with Changes*			
<u>Application for Original Approval</u>	21	NCAC 04B	.0802
Readopt with Changes*			
<u>Student Fee for Courses</u>	21	NCAC 04B	.0803
Readopt with Changes*			
<u>Approval of Continuing Education Instructors</u>	21	NCAC 04B	.0804
Readopt with Changes*			
<u>Sponsor Requirements</u>	21	NCAC 04B	.0805
Readopt with Changes*			
<u>Course Completion Reporting</u>	21	NCAC 04B	.0806
Readopt with Changes*			
<u>Change in Ownership and Other Information</u>	21	NCAC 04B	.0807
Readopt with Changes*			
<u>Course Records</u>	21	NCAC 04B	.0808
Readopt with Changes*			
<u>Renewal of Course and Sponsor Approval</u>	21	NCAC 04B	.0809
Readopt with Changes*			
<u>Denial or Withdrawal of Approval</u>	21	NCAC 04B	.0810
Readopt with Changes*			
<u>Minimum Class Size</u>	21	NCAC 04B	.0811
Readopt/Repeal*			
<u>Scheduling and Notice of Scheduled Courses</u>	21	NCAC 04B	.0812
Readopt with Changes*			
<u>Advertising; Providing Course Information</u>	21	NCAC 04B	.0813
Readopt with Changes*			
<u>Conduct of Classes</u>	21	NCAC 04B	.0814
Readopt with Changes*			
<u>Instructor Conduct and Performance</u>	21	NCAC 04B	.0815
Readopt with Changes*			
<u>Monitoring Attendance</u>	21	NCAC 04B	.0816
Readopt with Changes*			
<u>Student Participation Standards</u>	21	NCAC 04B	.0817
Readopt with Changes*			
<u>Additional Sponsor Requirements</u>	21	NCAC 04B	.0818
Readopt with Changes*			
<u>Alternative Compliance</u>	21	NCAC 04B	.0819
Readopt with Changes*			

PHYSICAL THERAPY EXAMINERS, BOARD OF

The rules in Subchapter 48B concern types of licenses.

<u>Licenses by Endorsement</u>	21	NCAC 48B	.0102
Amend*			

<u>Licenses by Examination</u>	21	NCAC 48B .0103
Amend*		

The rules in Subchapter 48D concern examinations.

<u>Schedule and Location of Examination</u>	21	NCAC 48D .0102
Amend*		

The rules in Subchapter 48E deal with the requirements for application for licensure (.0100).

<u>Filing Application</u>	21	NCAC 48E .0101
Amend*		

<u>Foreign-Trained Physical Therapist Applicant by Examination</u>	21	NCAC 48E .0110
Amend*		

<u>Foreign-Trained Physical Therapist Applicant by Endorsement</u>	21	NCAC 48E .0111
Amend*		

<u>Foreign-Trained Physical Therapist Assistant Endorsement ...</u>	21	NCAC 48E .0112
Amend*		

<u>Foreign-Trained Physical Therapist Assistant Exam Applicant</u>	21	NCAC 48E .0510
Adopt*		

The rules in Subchapter 48G concern retention of license including licensure renewal (.0100); lapsed licenses (.0200); refusal to renew or grant license suspension or revocation (.0300); probation or warning (.0400); contested case hearings (.0500); and disciplinary action (.0600).

<u>Continuing Competence Activities</u>	21	NCAC 48G .0109
Amend*		

<u>Notification</u>	21	NCAC 48G .0202
Amend*		

<u>Complaints and Investigations</u>	21	NCAC 48G .0504
Amend*		

PLUMBING, HEATING AND FIRE SPRINKLER CONTRACTORS, BOARD OF EXAMINERS OF

The rules in Chapter 50 are from the Plumbing, Heating and Fire Sprinkler Contractors including rules about organization (.0100); forms (.0200); examinations (.0300); general procedures (.0400); policy statements and interpretative rules (.0500); contested cases (.1000); fees (.1100); petitions for rules (.1200); declaratory rulings (.1300); and continuing education (.1400).

<u>Qualifications Determined by Examination</u>	21	NCAC 50 .0301
Amend*		

<u>Applications: Issuance of License</u>	21	NCAC 50 .0306
Amend*		

<u>Responsibilities of State and Local Government Technician...</u>	21	NCAC 50 .0313
Amend*		

<u>Private Educational Institution Plumbing or Heating Techn...</u>	21	NCAC 50 .0314
Adopt*		

<u>Responsibilities of Private Educational Institution Techn...</u>	21	NCAC 50 .0315
Adopt*		

<u>Residential Fire Sprinkler Design Contractor License</u>	21	NCAC 50 .0316
Adopt*		

<u>Residential Fire Sprinkler Design Contractor Licensees</u>	21	NCAC 50 .0317
Adopt*		

<u>Multiple Licenses</u>	21	NCAC	50	.0405
Amend*				
<u>Corporations, Partnerships and Trade Names</u>	21	NCAC	50	.0407
Amend*				
<u>Change of Trade Name</u>	21	NCAC	50	.0408
Amend*				
<u>General Supervision and Standard of Competence</u>	21	NCAC	50	.0505
Amend*				
<u>Residential Fire Sprinkler Design License</u>	21	NCAC	50	.0519
Adopt*				
<u>Examination Fees</u>	21	NCAC	50	.1101
Amend*				
<u>License Fees</u>	21	NCAC	50	.1102
Amend*				
<u>Petition for Predetermination</u>	21	NCAC	50	.1106
Adopt*				

ENGINEERS AND SURVEYORS, BOARD OF EXAMINERS FOR

The rules in Chapter 56 concern the organization of the board (.0100); instructional programs (.0300); records and reports of the board, retention and dispositions (.0400); professional engineer (.0500); professional land surveyor (.0600); rules of professional conduct (.0700); firm registration (.0800); general business entities (.0900); temporary permit (.1000); seal (.1100); rulemaking proceedings (.1200); board disciplinary procedures (.1300); contested cases (.1400); fees (.1500); standards of practice for land surveying in North Carolina (.1600); and continuing professional competency (.1700).

<u>Disbursement of Funds</u>	21	NCAC	56	.0303
Amend*				
<u>Suspension of Authority to Expend Funds</u>	21	NCAC	56	.0304
Adopt*				
<u>Requirements for Licensing</u>	21	NCAC	56	.0501
Amend*				
<u>Examinations</u>	21	NCAC	56	.0503
Amend*				
<u>Requirements for Licensing</u>	21	NCAC	56	.0601
Amend*				
<u>Examinations</u>	21	NCAC	56	.0603
Amend*				
<u>Annual Renewal and 30-Day Reporting of Violations and Cha...</u>	21	NCAC	56	.0804
Amend*				
<u>Business Titles</u>	21	NCAC	56	.0902
Amend*				
<u>Improper Practice by a Licensee</u>	21	NCAC	56	.1301
Amend*				
<u>Unlawful Practice by and Unlicensed Person</u>	21	NCAC	56	.1302
Amend*				
<u>Notice of Contemplated Board Action to Applicant: Request...</u>	21	NCAC	56	.1403
Amend*				
<u>Classification of Boundary Surveys</u>	21	NCAC	56	.1603
Amend*				

<u>Mapping Requirements for Boundary Surveys</u>	21	NCAC 56	.1604
Amend*			
<u>Global Positioning Systems Surveys</u>	21	NCAC 56	.1607
Amend*			

APPRAISAL BOARD

The rules in Subchapter 57A cover licensing, certification and practice rules for appraisers including application procedures (.0100); licensing and certification (.0200); examination (.0300); general practice requirements (.0400); appraisal standards (.0500); and experience credit (.0600).

<u>Qualifications for Trainee Registration and Appraiser Lic...</u>	21	NCAC 57A	.0201
Amend*			
<u>Temporary Practice</u>	21	NCAC 57A	.0210
Amend*			
<u>Applicants Certified in Another State</u>	21	NCAC 57A	.0211
Amend*			
<u>Time and Place</u>	21	NCAC 57A	.0301
Amend*			
<u>Subject Matter and Passing Scores</u>	21	NCAC 57A	.0302
Repeal*			
<u>Examination Review</u>	21	NCAC 57A	.0306
Repeal*			
<u>Change of Name or Address</u>	21	NCAC 57A	.0404
Amend*			
<u>Supervision of Trainees</u>	21	NCAC 57A	.0407
Amend*			
<u>Appraisal Management Companies</u>	21	NCAC 57A	.0410
Amend*			
<u>Experience Credit to Upgrade</u>	21	NCAC 57A	.0601
Amend*			

The rules in Subchapter 57B cover real estate appraisal education including the courses required for licensure or certification (.0100); course sponsor standards for pre-licensing or pre-certification courses (.0200); pre-licensing and pre-certification course standards (.0300); course sponsor fees (.0400); fees for private real estate appraisal education schools (.0500); and continuing education course standards (.0600).

<u>Registered Trainee Course Requirements</u>	21	NCAC 57B	.0101
Amend*			
<u>Licensed Residential and Certified Residential Real Estat...</u>	21	NCAC 57B	.0102
Repeal*			
<u>Certified General Real Estate Appraiser Course Requirements</u>	21	NCAC 57B	.0103
Repeal*			
<u>Course Content</u>	21	NCAC 57B	.0302
Amend*			
<u>Course Scheduling</u>	21	NCAC 57B	.0304
Amend*			
<u>Instructor Requirements</u>	21	NCAC 57B	.0306
Amend*			
<u>Criteria for Course Recognition</u>	21	NCAC 57B	.0307

Amend*		
<u>Course Operational Requirements</u>	21	NCAC 57B .0606
Amend*		
<u>Payment of Fee Required by G.S. 93E-1-7(b1)</u>	21	NCAC 57B .0613
Amend*		
<u>Instructors for the Trainee/Supervisor Course Required by...</u>	21	NCAC 57B .0614
Amend*		
The rules in Subchapter 57C concern administrative law procedures including appraisal board hearings (.0100); petitions for rules (.0200); rule-making (.0300); and declaratory rulings (.0400).		
<u>Form of Complaints and Other Pleadings</u>	21	NCAC 57C .0101
Amend*		
The rules in Subchapter 57D concern appraisal management companies including application for appraisal management registration (.0100); appraisal management company registration (.0200); appraisal management company procedures (.0300); and appraisal management company general practices (.0400).		
<u>Form</u>	21	NCAC 57D .0101
Amend*		